

### REMARKS

In the communication of August 31, 2007, restriction to one of the following Groups was required under 35 U.S.C. 121 and 372:

Group I: Claims 1-28, drawn to a nucleic acid molecule.

Group II: Claims 29-38, drawn to an isolated protein.

Group III: Claims 39-40, drawn to a method of modulating DEC-205 expression or functional activity.

Group IV: Claims 41-43, drawn to a method for regulating cellular activity.

Group V: Claims 44-45, drawn to a method for treatment and/or prophylaxis of a condition characterized by aberrant, unwanted, or inappropriate functioning of DEC-205 SV.

Group VI: Claim 50, drawn to a pharmaceutical composition.

Group VII: Claims 51 and 53, drawn to an antibody directed to a protein.

Group VIII: Claims 52 and 54, drawn to an antibody directed to a nucleic acid molecule.

Group IX: Claim 55, drawn to a method of diagnosis.

Group X: claim 56, drawn to a method for detecting an agent capable of modulating the function of DEC-205 SV or DCL-1.

### Response to Restriction Requirement

Due to a miscommunication between Applicants and their attorneys, Applicants erroneously elected Group II in their previous response. Applicants' actual intent was to elect Group VII encompassing claims relating to an antibody directed to a protein. The undersigned attorney spoke with the Examiner assigned to the present application. The Examiner indicated that since she had not taken substantive action on the previous response, Applicants could rescind the prior election and replace it with the present election of Group VII.

Applicants also discussed with the Examiner that the previously pending claims would be canceled and replaced with new claims in accordance with the new election. Therefore, new Claims 57-65 are presented herewith. Of these new claims, Claims 57-61 are directed to the elected Group VII. Support for these claims can be found in original Claims 51, 53 and 54, as well as in the paragraph spanning pages 51 and 52 of the specification.

### **Request for Rejoinder**

New claims 62-65 are directed to the invention of Group IX. Support for these claims can be found in original Claim 55, as well as in the specification at page 53, lines 7-31. These non-elected claims are all ultimately dependent on elected Claim 57 within the elected Group. Accordingly, upon allowance of Claim 57, Applicants respectfully request rejoinder and consideration of withdrawn claims 62-65.

### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

### **Co-Pending Applications of Assignee**

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

<b>Serial Number</b>	<b>Title</b>	<b>Filed</b>
10/536,677	THERAPEUTIC AND DIAGNOSTIC AGENTS	June 5, 2006
11/888,911	DCL-1 AND USES THEREOF	July 31, 2007
10/538,393	IN VITRO IMMUNIZATION	November 13, 2006

### CONCLUSION

Applicants do not believe that any additional fees are necessary, as Applicant's previous response was fully responsive to the communication mailed August 31, 2007. However, should it be believed necessary, please charge any fees, including any fees for additional extension of time, to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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